

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

TATYANA BABAKAEVA and
OLGA GUSKOVA,

Plaintiffs,

v.

PTR INVESTMENTS, INC,
TROY ROBERTSON,
PATRICIA ROBERTSON,
658 WATERS DRIVE, LLC and
C. JEFFREY MOORE,

Defendants.

Civil Action No. 2:21-cv-267

**NOTICE OF OBJECTION
TO DEFENDANTS' NOTICES OF HEARING**

Plaintiffs Tatyana Babakaeva ("Babakaeva"), *pro se*, and Olga Guskova, *pro se*, hereby respectfully submit their objections to Notice/Waver of Hearing filed by defendants C. Jeffrey Moore and 658 Waters Drive, LLC (ECF No. 21) and to Notice/Waver of Hearing filed by defendants PTR Investments, Inc., Troy Robertson and Patricia Robertson (ECF No. 22), on the ground that both requests for hearing were not timely made as required by Local Rule 7(E).

DEFENDANTS' REQUESTS FOR HEARING ARE NOT TIMELY MADE

Local Rule 7(E) provides, in pertinent part, that "[u]nless otherwise ordered, a motion shall be deemed withdrawn if the movant does not set it for hearing (or arrange to submit it without a hearing) within thirty (30) days after the date on which the motion is filed."

Defendants PTR Investments, Inc., Troy Robertson and Patricia Robertson (collectively, "PTR") filed their Motion to Dismiss Plaintiff's Complaint (ECF No. 6) on June 9, 2021. Pursuant to Local Rule 7(E), PTR were required to set their motion for hearing, or arrange to submit it without hearing, on or before July 9, 2021, however they did not do so until August 6,

2021 when they submitted “Notice/Waver of Hearing” (ECF No. 22). Extension of time for setting the motion for hearing, or arranging to submit it without hearing, was neither granted by the Court nor requested by PTR. Accordingly, pursuant to Local Rule 7(E) PTR’s Motion to Dismiss Plaintiff’s Complaint (ECF No. 6) shall be deemed withdrawn.

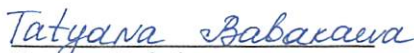
Defendants C. Jeffrey Moore and 658 Waters Drive, LLC (collectively, “Waters”) filed their joint Motion to Dismiss Complaint (ECF No. 11) on June 28, 2021. Pursuant to Local Rule 7(E), Waters were required to set their motion for hearing, or arrange to submit it without hearing, on or before July 28, 2021, however they did not do so until August 2, 2021 when they submitted “Notice/Waver of Hearing” (ECF No. 21). Extension of time for setting the motion for hearing, or arranging to submit it without hearing, was neither granted by the Court nor requested by Waters. Accordingly, pursuant to Local Rule 7(E) PTR’s Motion to Dismiss Complaint (ECF No. 11) shall be deemed withdrawn.

CONCLUSION

Babakaeva and Guskova respectfully submit that, for the foregoing reasons, the Court should consider both defendants’ Motions to Dismiss as being withdrawn pursuant to Local Rule 7(E), and that the Court should direct defendants to file Answer by date certain.

Respectfully submitted this 10th day of August 2021.


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CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of August, 2021 a true and accurate copy of the foregoing Notice of Objection was mailed first-class, postage prepaid, to the following:

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